

Message Text

SECRET

PAGE 01 ATHENS 03074 211937Z

51

ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 EURE-00 NSC-05 NSCE-00 PM-03

INR-05 INRE-00 CIAE-00 SSO-00 SAJ-01 ACDA-10 L-01

SP-02 EB-03 PRS-01 SAM-01 /055 W

----- 108403

O P 211620Z APR 75 ZFF-4

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 8450

INFO SECDEF PRIORITY

USMISSION NATO PRIORITY

JCS PRIORITY

USNMR SHAPE PRIORITY

USDELMC PRIORITY

USCINCEUR PRIORITY

CINCUSNAVEUR PRIORITY

CINCUSAFE PRIORITY

S E C R E T ATHENS 3074

LIMDIS

E.O. 11652: GDS

TAGS: MARR, GR, US

SUBJECT: US-GREEK BASE NEGOTIATIONS: SIXTH MEETING OF SUBGROUP ON
SOFA QUESTIONS

REF: (A) ATHENS 3028; (B) ATHENS 2884

SUMMARY: TODAY'S SOFA SUBGROUP MEETING EXAMINED ART. VIII
OF APPENDIX I OF 1953 MFA. GREEK SIDE ACCEPTED GENERAL
PRINCIPLE THAT EXPENDITURES OF THE USG IN GREECE FOR THE
COMMON DEFENSE WILL REMAIN EXEMPT FROM ALL GREEK DUTIES AND
TAXES. GREEK SIDE ALSO ACCEPTED PRINCIPLE THAT EQUIPMENT
ETC. IMPORTED INTO GREECE BY USG IN SUPPORT OF THE FORCE,
CIVILIAN COMPONENT AND DEPENDENTS WILL REMAIN FREE OF
GREEK IMPORT/EXPORT DUTIES AND TAXES. HOWEVER, GREEKS
CALLED FOR ABROGATION OF TAX RELIEF MOU OF 4 FEB. 1953 AND

SECRET

SECRET

PAGE 02 ATHENS 03074 211937Z

INSISTED UPON GREATER GREEK PARTICIPATION IN CUSTOMS CONTROL

PROCEDURES. END SUMMARY

1. ECONOMIDES BEGAN DISCUSSION OF 1953 MFA, APP. I, ART. VIII, PARA. 1 BY RELATING IT TO NATO SOFA XI, PARA. 4 AND NOTING THAT IN GREEK VIEW THE FORMER COULD BE RETAINED IF ADAPTED TO CONFORM WITH THE GREEK DRAFT OF A BASIC AGREEMENT. THIS MIGHT BE ACCOMPLISHED WITH THREE CHANGES: (A) INCLUSION OF ADDITIONAL PHRASE MODIFYING "EXPENDITURES..." TO EFFECT THAT THESE WOULD BE "MADE WITH APPROVAL OF COMPETENT GREEK AUTHORITIES;" (B) ADDITIONAL LANGUAGE NOTING THAT FEES FOR SERVICES RENDERED NOT EXEMPTED; AND (C) ELIMINATION OF REFERENCE TO MEMORANDUM OF FEBRUARY 4, 1953, SINCE GOG HAD PROPOSED ITS ABOLITION, ALTHOUGH RETENTION OF ANY USEFUL SUBSTANCE FROM THIS MEMORANDUM NOT PRECLUDED. IN REACTION TO GREEK SUGGESTION, IN CONFORMITY WITH ARTICLE 3 OF GREEK DRAFT, THAT TAX RELIEF BE SPELLED OUT IN THE TECHNICAL ARRANGEMENTS, US SIDE AGAIN EXPRESSED PREFERENCE FOR APPROACH OF 1953 MFA, APPENDIX I IN WHICH GENERAL PROVISIONS CONTAINED IN BASIC AGREEMENT. GREEKS AGREED THAT IT WAS NECESSARY TO INCLUDE PRINCIPLE OF TAX EXEMPTION IN BASIC AGREEMENT. US SIDE ALSO POINTED OUT EXISTING OBLIGATION (APP. I, ART. III) TO PAY FOR SERVICES REQUESTED AND RENDERED. AFTER CONSIDERABLE DISCUSSION, GREEKS MODIFIED POSITION, SAYING THAT SINCE PRINCIPLE AGREED, DRAFTING COULD BE LEFT TO TECHNICAL DRAFTERS.

2. DISCUSSION TURNED TO MEMORANDUM OF FEBRUARY 4, 1953, THE TAX RELIEF AGREEMENT, IN WHICH ECONOMIDES SAW THREE ESSENTIAL QUESTIONS: (A) "EXTRATERRITORIALITY," OR SOVEREIGN IMMUNITY, FOR PROPERTY OF USG IN GREECE, WHICH WAS ALREADY IMBEDDED IN INTERNATIONAL LAW AND HENCE NEED NOT BE RESTATED; (B) QUESTION OF EXEMPTION FROM TAXES AND DUES, WHICH WAS COVERED IN MFA, APP. I, ART. VIII (1); AND (C) EXTENSION OF PRIVILEGES OF LD 694 OF MAY 7, 1948 WHICH WAS ABOLISHED BY GOG AND THUS NOT A SUBJECT OF DISCUSSION. GREEK SIDE THEREFORE FOUND NOTHING WORTH RETAINING. US SIDE NOTED APPLICABILITY OF MEMORANDUM TO FOREIGN AID EXPENDITURES, WHICH WERE ONCE MORE A POSSIBILITY, AND NOTED THAT WORDING WAS OBSOLETE, IN THAT "EXTRATERRITORIALITY" DID NOT COVER ADEQUATELY CONCEPT OF SOVEREIGN

SECRET

SECRET

PAGE 03 ATHENS 03074 211937Z

IMMUNITY.

3. CONCERNING MFA, APP. I, ART. VIII (2), (IMPORT/EXPORT DUTIES AND TAXES), GREEK SIDE EXPRESSED PREFERENCE FOR NATO SOFA ART. XI (4), BUT ADMITTED SOME COMPLEMENTARY PROVISIONS NEEDED. GREEK SIDE HAD DIFFICULTY WITH EXEMPTION IN APP. I, ART. VIII (2) FROM "CUSTOMS RESTRICTIONS AND INSPECTIONS." US SIDE REFERRED TO AGREEMENT OF JUNE 27,

1955 (TIAS 3368) AS USEFUL SET OF CUSTOMS CONTROL PROCEDURES WHICH SHOULD BE RETAINED. ECONOMIDES EXPRESSED THE VIEW THAT GREEKS SHOULD INSPECT IMPORTS AND PARTICIPATE IN ESTABLISHING "REASONABLE QUANTITIES," DISPUTE US SIDES EXPLANATION THAT ONLY THE SENDING STATE COULD REALISTICALLY DETERMINE WHAT WAS "REASONABLE." AFTER LENGTHY DISCUSSION, US SIDE EXPLAINED AND PRESENTED DRAFT ARTICLE ON CUSTOMS CONTROL PROCEDURES. GREEK SIDE UNDERTOOK TO STUDY THIS AND AGREEMENT OF JUNE 27, 1955 FOR LATER DISCUSSION.

4. AS TO FINAL SENTENCE OF MFA, APP. I, ART. VIII CONCERNING RIGHT TO REEXPORT GOODS IMPORTED INTO GREECE DUTY FREE, GREEKS ARGUED THAT ARTICLE 5 OF THEIR DRAFT AGREEMENT INTENDED TO COVER THIS POINT. US SIDE EXPRESSED POSITION THAT RIGHT TO REEXPORT SHOULD BE CONSISTENT WITH PARA. 8 OF ART. XI OF NATO SOFA BUT AS GREEKS HAD SUGGESTED, THAT EXCEPTION MIGHT BE MADE FOR GOODS IMPORTED FOR SUPPORT OF US FACILITIES WHICH WOULD NOT BE REEXPORTED IF SUCH ACTION WOULD DETRACT FROM NATO EFFECTIVENESS. GREEKS SAID THEY BASICALLY AGREED WITH THIS APPROACH BUT WOULD WANT A TECHNICAL AGREEMENT TO SPELL OUT DETAILS OF CONTROL OVER AND CUSTOMS STATUS OF GOODS IN TRANSIT.
KUBISCH

SECRET

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS, MILITARY BASES, STATUS OF FORCES AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 APR 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchantr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975ATHENS03074
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750139-0673
From: ATHENS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750430/aaaabbrf.tel
Line Count: 139
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: SECRET
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: LIMDIS
Reference: 75 ATHENS 3028, 75 ATHENS 2884
Review Action: RELEASED, APPROVED
Review Authority: buchantr
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUN 2003 by BoyleJA>; APPROVED <08 OCT 2003 by buchantr>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: US-GREEK BASE NEGOTIATIONS: SIXTH MEETING OF SUBGROUP ON SOFA QUESTIONS
TAGS: MARR, GR, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006